IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 12069 of 2004

Between:

Kum.Neha Singh S/o. Dr.B.Dinesh Kumar
represented by her father and natural guardian Dr.B.Dinesh Kumar S/o. Late Sri B.Bhagwan Lal
46 occ.Govt., Employee (Scientist,NIN) 108 Bazar Road Secunderabad -500015.

..... PETITIONER

AND

1 State of Andhra Pradesh rep. by its Secretary, Department of Higher Education, Ministry of
Education, Secretariat, Hyderabad.
2 Convenor EAMCET-2004 (Admissions)
Sankethika Vidya Bhavan, Hyderabad 500028.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the 1st respondent in not considering the throw ball players for admissions under sports quota in EAMCET counseling as patently unreasonable, highly arbitrary and hence violative of the articles 14 and 21 of the Constitution of India and consequently direct the 2nd respondent to consider the petitioner who is a throw ball player for admission under sports quota during EAMCET counseling and pass.

Counsel for the Petitioner: MR.SRI HARI REDDY AVUTHU

Counsel for Respondents: GP FOR HIGHER EDUCATION for R1 and Sri S.S. Prasad for R2.

The Court made the following:

ORDER:

The petitioner who appeared for EAMCET-2004 Entrance Examination in the Engineering stream and she secured a rank of 15,902 filed the present Writ Petition stating that she had secured third place for Andhra Pradesh in National School Games Championship held from January 2 to 7, 2004 at Deawas, Madhya Pradesh by School Games Federation of India, she had also represented Ranga Redddy District and won second place in the 48th State School Games of Andhra Pradesh held from 26th to 28th October, 2002 and she participated in the route march with a blazer with the official logo of the State of Andhra Pradesh at the National School Games Tournaments in 2004 and she has been playing the throw ball game continuously since last six years and obtained medals and her case was not considered under the Sports Quota since only 29 games have listed to be considered under the Sports Quota as per G.O.Ms.No. 103 HE (EC-II) Department dated 15th July 2000, G.O.Ms.No. 149 HE (EC-II) Dept., 28th October 2000; G.O.Ms.NO. 725 HE (EC-II) Dept dated 3rd October 2001 and the throw ball is not listed as one among 29 games. In view of the same, she seeks Mandamus from this court to consider her case for admission under sports quota during EAMCET counseling.

Admittedly, the Andhra Pradesh Council for Higher Education, Saifabad, Hyderabad had published a 'List of Engineering Colleges, Courses and Intakes' in order to give some guidance to aspiring Engineering students. The book refers to G.O.Ms No. 103 HE (EC-II) Dept., 15th July 2000; G.O.Ms.No. 149 HE (EC-II) Dept., 28th October 2000; G.O.Ms.No. 725 HE (EC-II) Dept., dated 3rd October 2001 and gives a list of 29 games the players of which alone would be considered for admission under sports quota and throw ball is not listed as one among them. Therefore, it is for the authorities to consider whether throw ball is to be considered under sports quota or not.

The learned counsel appearing for the petitioner submits that in Karnataka State throw ball has been considered as one of the sports to seek admission into Engineering Courses under sports quota and in not extending the same benefit to Andhra Pradesh is illegal and arbitrary. Not recognizing throw ball as one of the games for seeking admission into Engineering Course in Andhra Pradesh cannot be a ground to consider the case of the petitioner. It is for the authorities to consider and include throw ball as one of the games for seeking admission into Engineering Course in future.

Accordingly, the Writ Petition is disposed of. No costs.

Ka 15.09.2004.

To

1 State of Andhra Pradesh rep. by its Secretary, Department of Higher Education, Ministry of
Education, Secretariat, Hyderabad.
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3. 2 CCs to G.P. for High Education, High Court Buildings, High Court of A.P., Hyderabad.

2. 2CD copies